

**GOVERNMENT OF ORISSA  
FOREST & ENVIRONMENT DEPARTMENT**

No. 10F (Cons) 171/18 16374 /F&E., Date 28-8-19 \*\*\*\*\*

From:

Sri Debidutta Biswal, IFS  
Special Secretary to Government

To

The Asst. Inspector General of Forests,  
Government of India,  
Ministry of Environment & Forests & Climate Change,  
(F.C. Division), Indira Paryavaran Bhawan,  
Alinganj, Jor Bagh Road, New Delhi-110003.

Sub: Proposal for diversion of additional 230.20ha of forest land including 3.806ha of forest land within safety zone in addition to already diverted 350.706ha of forest land within total project area of 1384.767ha (as indicated in latest approved Mining Plan) for Samaleswari OCP Expansion (Phase-IV) rated capacity 15.0MTY of Mahanadi Coalfields Ltd. in IB-Valley Area, Brajarajnagar Dist-Jharsuguda, Odisha.

Sir,

I am directed to invite a reference to your letter F.No.8-147/1989-FC (Pt-I) dtd.28.02.2019 on the subject cited above and to forward herewith the compliance/ clarification as submitted by the Addl. PCCF, Forest Diversion & Nodal Officer, FC Act, O/o the PCCF, Odisha along with the Annexures/ required documents on the observation made vide letter referred above for further necessary action at your end.

Yours faithfully,

Special Secretary to Government

Memo No. 16375 /F&E., Dated 28-8-19

Copy along with copy of the enclosures forwarded to the Additional Director General of Forests (Central), Government of India, Ministry of Environment, Forests & Climate Change, Eastern Regional Office, A-3, Chandrasekharapur, Bhubaneswar for information & necessary action.

Special Secretary to Government

Memo No. 16376 /F&E., Dated 28-8-19

Copy forwarded to the Principal Chief Conservator of Forests, Odisha / Principal Chief Conservator of Forests (WL) & CWLW, Odisha for information & necessary action with reference to letter No.14669 dtd.20.08.2019 of O/o the PCCF, Odisha.

Special Secretary to Government

Memo No. 16377 /F&E., Dated 28-8-19

Copy forwarded to the Regional Chief Conservator of Forests, Sambalpur Circle/  
Divisional Forest Officer, Jharsuguda Division for information and necessary action.

Memo No. 16378 /F&E., Dated 28-8-19 Special Secretary to Government

Copy forwarded to the Steel & Mines department /Collector, Jharsuguda for  
information and necessary action..

Memo No. 16379 /F&E., Dated 28-8-19 Special Secretary to Government

Copy forwarded to the General Manager, IB Valley area, Mahanadi Coalfields Ltd.,  
At/P-Brajaarajnagar, Dist-Jharsuguda, Pin-768016. Odisha for information and necessary  
action.

Special Secretary to Government

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27.8.2019



OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS: ODISHA  
BHUBANESWAR

No. 11669 /9F (MG)- 379/2018  
Dated, Bhubaneswar the 20th August, 2019

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To

The Additional Chief Secretary to Government,  
Forest & Environment Department,  
Odisha, Bhubaneswar.

Sc (m)  
to  
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**Sub: Proposal for diversion of additional 230.20 ha of forest land including 3.806 ha of forest land within safety zone in addition to already diverted 350.706 ha of forest land within total project area of 1384.767 ha.(as indicated in latest approved Mining Plan) for Samaleswari OCP Expansion(Phase-IV) rate capacity 15.00 MTY of Mahanadi Coalfields Ltd. in IB-Valley Area, Brajrajnagar, District, Jharsuguda, Odisha (Proposal No.FP/OR/MIN/26817/2017 dated 07.10.2017)**

Sir,

In inviting a reference to the above cited subject, this is to inform you that the Government of India, Ministry of Environment & Forests, Climate Change, New Delhi vide Letter No F.No. 8-147/1989-FC(Pt.-I) dated 28.02.2019 has sought for some clarification on the points raised therein. The User Agency has complied all the points raised by the Government of India, MoEF & CC, New Delhi. In this regard the point wise compliance as received from CF Sambalpur Circle vide his Memo No.1073 dated 09.09.2009 is furnished below:-

**Point No.2 (a) : Total area (461 Ha) proposed for CA falls in Sambalpur District of Odisha State whereas, as per information given in forwarding letter by the State Government of Odisha, all the proposed CA sites falls under Jharsuguda district of Odisha State.**

**Compliance:** In compliance to the above, the DFO Jharsuguda Division has reported that Jharsuguda District was earlier part of undivided Sambalpur District in the State of Odisha. The Jharsuguda district was separated from Sambalpur District with effect from 01.01.1994 and a separate forest Division namely Sambalpur (North) Division was created which has been subsequently changed to Jharsuguda Forest Division.

Since, MCL is a Central Government PSU, as against diversion of 230.20 ha of forest land, 461.0 ha of degraded forest land was identified for Compensatory Afforestation under Jharsuguda Forest Division.

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Since, out of 461.0 ha forest land identified for Compensatory Afforestation, the density of vegetation is more than 40% over 243.0 ha, therefore a revised CA land has been identified (i) over 182.48 ha of Revenue non-forest land with Kissam Patita under Jharsuguda District and (ii) 96.0 ha of degraded forest land with Crown Density below 40 % under Kolabira Range of Jharsuguda Forest Division.

**Point No.2(b) :** *Out of 461 ha area proposed CA, 243 ha area is characterized with Moderately Dense Forest(MDF), about 53% area is under MDF in terms of forest classes(as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014 which may not be suitable for CA.*

**Compliance:** In compliance to the above, the DFO Jharsuguda Division has reported that since MCL is a Central Government PSU, as against diversion of 230.20 ha of forest land, 461.0 ha of degraded forest land was identified for Compensatory Afforestation under Jharsuguda Forest Division.

Since, out of 461.0 ha forest land identified for Compensatory Afforestation, the density of vegetation is more than 40% over 243.0 ha, therefore a revised CA land has been identified (i) over 182.48 ha of Revenue non-forest land with Kissam Patita under Jharsuguda District and (ii) 96.0 ha of degraded forest land with Crown Density below 40 % under Kolabira Range of Jharsuguda Forest Division.

The details of the Revised Compensatory Afforestation land selected are furnished below:-

The following **Non-forest land (NFL)** comprising of **182.48 ha** has been selected for Compensatory afforestation:-

- (i) Two patches comprising of an area of 55.53 ha of Revenue Non Forest Land with Kissam-Patita in village Kechhobahal under Jharsuguda Tahasil of Jharsuguda District.
- (ii) One Patch consisting of an area of 49.14 ha of Revenue Non Forest Land with Kissam-Patit in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.
- (iii) One Patch consisting of an area of 17.76 ha of Revenue Non Forest Land with Kissam-Patit in village Barihapali under Lakhanpur Tahasil of Jharsuguda District.
- (iv) Two patches comprising of an area of 60.05 ha of Revenue Non Forest Land with Kissam- Patit in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.

And, **Degraded Forest Land** of area measuring **96 Ha** having canopy density below 40% is identified at following PRFs.



- (i) An area of 54 ha of degraded forest land has been identified for CA in two patches comprising of 31.0 ha in Lamdunguri-1 & 23.0 ha in Lamdunguri-2 in Lamdunguri PRF under Kolabira Range of Jharsuguda Division.
- (ii) An area of 42.0 ha of degraded forest land has been identified for CA in two patches comprising of 26 ha at Barhamusha & 16 ha at Talmunda under Budhikuten-Bhaibahan PRF.

The land measuring 141.78 Acres (57.37 ha) of Non-Forest Govt. land in Village Kechhobahal has been sanctioned & alienated vide Letter No. 35606 dated 04.08.1997 of Revenue & Excise Department, Govt. of Odisha (Copy enclosed at **Page No.11-12 of Compliance**) and subsequently mutated in favour of Forest & Environment Department for Compensatory afforestation. A part of the said land (7.848 ha) was notified as Village Forest in **Gazette of the Orissa vide No. 30237 dated 19.12.1992**. However, the same is not reflected in the Revenue Records. The Record of Rights (RoR) of the area measuring 141.78 Acres (57.37 ha.) of Khata 110, Kissam – Patit, (as per land schedule attached) has been transferred in the name of Forest Department. The User Agency has furnished the certified copy of the mutation of above land duly authenticated by Revenue Authority of Jharsuguda District which is enclosed at **Page-6-7 of Compliance as Annexure-A**.

In this regard, the User Agency has submitted an undertaking to bear the cost of raising compensatory afforestation and fencing against non-forest land measuring 55.53 ha at Kechhobahal Village which is enclosed at **Page No.8 of Compliance as Annexure-B**.

Further, the DFO Jharsuguda Forest Division has reported that 05 Patches measuring 126.95 ha of Revenue Non Forest Land with Kissam- Patita comprising of 49.14 ha (One patch) at Singharpur village, 17.76 ha (One patch) at Barihapali village and 60.05 ha (Two Patches, 01<sup>st</sup> Patch =19.91 ha, 02<sup>nd</sup> Patch= 40.14 ha) at Beheramal village under Lakhanpur Tahsil of Jharsuguda District have been identified for the purpose of carrying out compensatory afforestation vide Letter No. 3773/Rev. dated 17.06.2019 of Collector Jharsuguda which is enclosed at **Page No.13-14 of Compliance**. The suitability of the above patches for compensatory afforestation and free encroachment and encumbrance is enclosed at **Page No.23 of Compliance**. The status of the above land as on 25.10.1980 (Sabik Jungle Record) is also enclosed vide Letter No.2033 dated 25.06.2019 of Tahasildar Lakhanpur is enclosed at **Page No.21 of Compliance**. The non-forest land measuring 126.95 ha shall be mutated and notified in favour of State Forest Department and declared as PF/RF prior to Stage-II approval and an

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undertaking in this regard is enclosed at **Page No.9 of Compliance as Annexure-C**. The User Agency has furnished a certificate to bear the cost of raising compensatory afforestation and fencing of the land measuring 126.95 ha in **Singharpur village, Barihapali village & Beheramal village** which is enclosed at **Page No.9 of Compliance as Annexure-C** ✓

**Point No.2(c) :** *It is not clear as to whether the area proposed for CA in revenue forest namely Grindola Village shall be mutated in favour of State Forest Department for further declaring as RF or PF under the provisions of section 29 of the Indian forest act, 1927.*

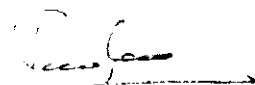
**Compliance:** In compliance to the above, as per guideline issued vide letter No.11-423/2011-FC, dated.02.04.2019 of Government of India, MoEF & CC, New Delhi, the forest lands having crown density below 40% shall only be treated as degraded forest for the purpose of CA. In view of the principle contained in the above guideline, the following Non-forest land (NFL) comprising of 182.48 ha has been selected for Compensatory afforestation:-

- (i) Two patches comprising of an area of 55.53 ha with Revenue Non Forest Land (Kissam-Patita) in village Kechhobahal under Jharsuguda Tahasil, Jharsuguda District.
- (ii) One Patch consisting of an area of 49.14 ha with Revenue Non Forest Land (Kissam-Patita) in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.
- (iii) One Patch consisting of an area of 17.76 ha with Revenue Non Forest Land (Kissam-Patita) in village Barihapali under Lakhanpur Tahasil of Jharsuguda District.
- (iv) Two Patches comprising of an area of 60.05 ha with Revenue Non Forest Land (Kissam-Patita) in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.

The Revenue Non-forest land with Kissam Patitia over 55.53 ha in village Kechobahal under Jharsuguda Tahasil of Jharsuguda District has already been sanctioned and alienated and subsequently mutated in favour of Forest & Environment Department for Compensatory Afforestation. The non-forest land measuring 126.95 ha shall be mutated and notified in favour of State Forest Department and declared as PF/RF prior to Stage-II approval.

**Point No.2(d) :** *The terminology used as PRF in the proposed CA may be clarified.*

**Compliance:** In compliance to the above, the DFO Jharsuguda Division has reported that the terminology used as PRF in the proposed Compensatory Afforestation is **Proposed Reserve Forest**.



**Point No.2(e) : The details of forest area proposed for CA in lieu of double the area applied for diversion, are as follows:**

- i. **11 CA patches comprising, an area of 133 Ha falls under Budhikuten-Bhaibahen PRF, Kolabira Range.**
- ii. **2 CA patches comprising an area of 156 Ha falls under Lamdunguri PRF, Kolabira Range.**
- iii. **1 Patch comprising an area of 172 Ha falls under Revenue Forest(Patra Jungle), Belpahara Range, Jharsuguda district of Odisha State.**

**Compliance:** In compliance to above, the DFO Jharsuguda Division has reported that since MCL is a Central Government PSU against diversion of 230.20 ha of forest land, 461.0 ha of degraded forest land was identified for Compensatory Afforestation under Jharsuguda Forest Division. Out of 461.0 ha of degraded forest land identified for CA, the density of vegetation is more than 40% over 243.0 ha. As per guideline issued vide letter No.11-423/2011-FC, dated.02.04.2019 of Government of India, MoEF & CC, New Delhi, the forest lands having crown density below 40% shall only be treated as degraded forest for the purpose of CA. Therefore a revised CA land has been identified (i) over 182.48 ha of Revenue non-forest land with Kissam Patita under Jharsuguda District and (ii) 96.0 ha of degraded forest land with Crown Density below 40 % under Kolabira Range of Jharsuguda Forest Division. The details of the proposed CA is as follows:-

The Compensatory Afforestation is proposed over 182.48 ha of Non-Forest Land identified in the following patches :-

- (a) Two patches comprising of an area of 55.53 ha with Revenue Non Forest Land (Kissam-Patita) in village Kechhobahal under Jharsuguda Tahasil, Jharsuguda District.
- (b) One Patch consisting of an area of 49.14 ha with Revenue Non Forest Land (Kissam-Patita) in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.
- (c) One Patch consisting of an area of 17.76 ha with Revenue Non Forest Land (Kissam-Patita) in village Barihapali under Lakhanpur Tahasil of Jharsuguda District.
- (d) Two Patches comprising of an area of 60.05 ha with Revenue Non Forest Land (Kissam-Patita) in village Singharpur under Lakhanpur Tahasil of Jharsuguda District.

So the total non-forest land identified in 182.48 ha (55.53 ha + 49.14 ha + 17.76 ha + 60.05 ha) in 6 patches.

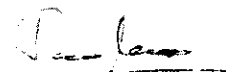


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Further, Compensatory Afforestation has been proposed on Degraded Forest Land (DFL) as specified u/s.3.2 (ix) (a) of the guideline provides for identification of land for Compensatory Afforestation by MoEF& CC, Gol, New Delhi. Degraded Forest Land of area measuring 96 Ha having canopy density below 40% is identified at following PRFs.

- (i) An area of 54 ha of degraded forest land has been identified for CA in two patches comprising of 31.0 ha in Lamdunguri-1 & 23.0 ha in Lamdunguri-2 in Lamdunguri PRF under Kolabira Range of Jharsuguda Division.
- (ii) An area of 42.0 ha of degraded forest land has been identified for CA in two patches comprising of 26 ha at Barhamusha & 16 ha at Talmunda under Budhikuten-Bhaibahan PRF.

Therefore, the total CA land identified is 278.48 ha comprising of Revenue Non-forest land over 182.48 ha and degraded forest land with crown density below 40% over 96.0 ha. The Divisional Forest Officer, Jharsuguda Forest Division has submitted a Compensatory Afforestation scheme over 278.48 ha including degraded forest land in Lamdunguri PRF (54 ha), Budhikuten-Bhaibahan PRF (42 ha) under Kolabira Range, Jharsuguda Forest Division, Revenue Non-forest land (Patita Kissam) 55.53 ha at Kechobahal village, 49.14 ha at Singharpur village, 17.76 ha at Barihapali village and 60.05 ha at Beheramal village under Jharsuguda District against 230.20 ha Forest land proposed to be diverted for Samaleswari OCP Expansion (Phase-IV). It has been proposed to take up plantation of 2,78,480 plants over 278.48 ha (1,82,480 plants over 182.48 ha of Revenue Non-forest land @ 1000 plants/ ha + 96,000 plants over 96.0 ha of degraded forest land @ 1000 plants/ha) identified for Compensatory Afforestation along with provision of barbed wire fencing **Page No.26-51 of Compliance**. The financial outlay of the CA scheme has been technically approved by Addl. PCCF (FD & NO, FC Act) for Rs. 6,63,26,500/- (**Rupees Six crore sixty three lakhs twenty six thousand five hundred**) only at current wage rate of Rs.286.30 per MD.

Further, the DFO Jharsuguda Forest Division has reported that as per amendment made in Section-3.2 (i) vide Letter No.F.No.11-423/2011-FC dated 08.11.2017 of Government of India, MoEF & CC, New Delhi, if requisite no. of plants @ 1000 plants per ha cannot be planted on the non-forest land identified for taking CA, then the balance no. of plants will be planted in the degraded forest land as per provisions of working plans. Again, if 1000 seedlings cannot be accommodated per ha in the DFL identified for CA the balance seedlings will be planted in any RF/PF as per prescription of Working Plan. Therefore, additional degraded forest land of 129 ha has been identified as follows to accommodate planting of 2,78,480 seedlings @ 1000 plants/ ha over 278.48 ha of proposed CA area.





Sl. No.	Patches	Area (in Ha)
1	Khajurkhaman-1	25
2	Khajurkhaman-3	14
3	Lamdunguri-1	82
4	Nandmunda	8
	<b>Total Area</b>	<b>129</b>

**Point No.3 :** It has also been decided in the Ministry that the degraded forest land proposed by the State Government for the purpose of CA, shall not be accepted if the canopy density of each forest patch is more than 0.4.

**Compliance:** In compliance to the above, the Non-Forest Land of 126.95 ha comprising of area of 49.14 ha (One patch) at Singharpur village, 17.76 ha (One patch) at Barihapali village and 60.05 ha (Two Patches, 01<sup>st</sup> Patch =19.91 ha, 02<sup>nd</sup> Patch= 40.14 ha) at Beheramal village under Lakhanpur Tahsil of Jharsuguda District can be considered for CA purpose as per the principle contained in the guideline of **MoEF& CC, Govt. of India vide its letter No.11-423/2011-FC, dated.02.04.2019**. The CA suitability certificate is enclosed at **Page No.23 of Compliance as Annexure-C (1)**. The above non-forest land of 126.95 ha shall be mutated in favour of State Forest Department, Odisha, in this regard, the user agency has also submitted an undertaking to bear the cost of mutation, which is enclosed as **Annexure- C (Page-9)**

The Non Forest Land of 55.53 ha as selected at Kechhobahal Village under Jharsuguda Tahsil of Jharsuguda District shall be declared as RF/PF on receipt of Stage-I approval.

Each patch of Degraded Forest Land measuring total area of 96 ha. at Lambdunguri PRF (02 Patches = 54 ha) & Budhikhuten-Bhaibahen PRF(02 patches= 42 ha) under Kolabira Range, Jharsuguda Forest Division is having canopy density less than 0.4 as per DSS FSI.

**Final Observation :** The legal status of CA, suitability certificate, Shape file of revised CA and the lease boundary of 1384.767 ha. area & 350.706 ha forest area(already diverted) may also be furnished for further consideration of the proposal in the Ministry.

**Compliance:** : In compliance to the above, the DFO Jharsuguda Forest Division has furnished the following documents as desired by Government of India, MoEF & CC, New Delhi.

- The legal status of CA land is enclosed at **Page No.51 of Compliance as Annexure-D**.
- The Suitability Certificate of Compensatory Afforestation land is enclosed at **Page No.50 of Compliance as Annexure-E**.
- Shape file of revised CA is enclosed to the Compliance in CD form.
- The Shape file of Lease Boundary of 1384.767 ha area and 350.706 ha forest area (already diverted) is enclosed in CD form with the Compliance.

*[Signature]*

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In view of the above, the compliance to points raised by Government of India, MoEF & CC, New Delhi vide Letter No F. No. 8-147/1989-FC(Pt-I) dated 28.02.2019 relating to proposal for diversion of additional 230.20 ha of forest land including 3.806 ha of forest land within safety zone in addition to already diverted 350.706 ha of forest land within total project area of 1384.767 ha.(as indicated in latest approved Mining Plan) for Samaleswari OCP Expansion(Phase-IV) rate capacity 15.00 MTY of Mahanadi Coalfields Ltd in IB-Valley Area, Brajrajnagar, District, Jharsuguda, Odisha is sent herewith in triplicate for kind consideration of Government & onward transmission to Government of India, MoEF & CC, New Delhi for necessary approval under Section-2 of Forest (Conservation) Act, 1980.

Yours faithfully,

Encl: Annexure-A to E with  
KML file in CD form  
in triplicate

  
Additional Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, F.C. Act


Memo No.

14670

Dt.

20-8-19

Copy forwarded to the Regional Chief Conservator of Forest, Sambalpur Circle for information and necessary action with reference to his Memo No.1073 dated 09.07.2019.

  
Additional Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, F.C. Act

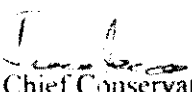
Memo No.

14671

Dt.

20-8-19

Copy forwarded to the Divisional Forest Officer, Jharsuguda Forest Division for information and necessary action with reference to Memo No.1074 dated 09.07.2019 of RCCF, Sambalpur Circle to his address.

  
Additional Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, F.C. Act